



CITY OF NEWPORT BEACH ZONING ADMINISTRATOR AGENDA

Newport Beach City Hall, Council Chambers
3300 Newport Boulevard
Thursday, February 28, 2013 – 3:30 p.m.

Brenda Wisneski, Zoning Administrator

Staff Members:

Jason Van Patten, Planning Technician
Makana Nova, Assistant Planner
Jaime Murillo, Associate Planner

A) CALL MEETING TO ORDER

B) MINUTES OF FEBRUARY 14, 2013

C) PUBLIC HEARING ITEMS

Item No. 1. 4590 MacArthur Sign Modification - Modification Permit No. MD2013-001(PA2013-002)
4590 MacArthur Boulevard Council District 3

Summary: A modification permit to install one (1) non-illuminated wall sign on the southwest corner of an existing building on the second floor fascia for a non-ground floor tenant where the Planned Community text limits location of tenant identification signs to the ground floor fascia for ground floor tenants only. The property is located in the PC 15 (Koll Center) Planned Community District.

Recommended Action: 1) Conduct public hearing; and
2) Approve Modification Permit No. MD2013-001(PA2013-002) subject to the recommended findings and conditions.

CEQA Compliance: The project qualifies for a Class 11 (Accessory Structures) categorical exemption pursuant to Title 14 of the California Code of Regulations (Section 15311, Article 19 of Chapter 3, Guidelines for Implementation of the California Environmental Quality Act)

Item No. 2. Roll-It Sushi and Teriyaki Minor Use Permit No. UP2013-004 (PA2013-019)
4221 MacArthur Boulevard (B-5) Council District 3

Summary: A minor use permit to allow a food service, eating and drinking establishment with no late hours (after 11:00 p.m.). Alcohol service is not requested as part of the project application. The property is located in the PC-11 (Newport Place) District.

This hearing is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Zoning Administrator's agenda be posted at least seventy-two (72) hours in advance of each regular hearing and that the public be allowed to comment on agenda items before the Zoning Administrator and items not on the agenda but are within the subject matter jurisdiction of the Zoning Administrator. The Zoning Administrator may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act ("ADA") in all respects. If, as an attendee or a participant at this hearing, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. If requested, this agenda will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Please contact the Community Development Department at least forty-eight (48) hours prior to the hearing to inform us of your particular needs and to determine if accommodation is feasible at 949-644-3200.

Recommended
Action:

- 1) Conduct public hearing; and
- 2) Approve Minor Use Permit No. UP2013-004 (PA2013-019) subject to the recommended findings and conditions.

CEQA

Compliance:

The project is categorically exempt under Section 15301, of the California Environmental Quality Act (CEQA) Guidelines - Class 1 (Existing Structures).

Item No. 3.

Fig & Olive - Minor Use Permit UP2012-029 (PA2012-163)

151 Newport Center Drive

Council District 5

Summary:

A Minor Use Permit application to allow a Type 47 (On Sale General) Alcoholic Beverage Control (ABC) license and live entertainment for Fig & Olive, a food service, eating and drinking establishment with late hours (after 11:00 p.m.). The restaurant is under construction and will be located in Fashion Island at the site formerly occupied by Coco's, which was operated as a restaurant with alcohol beverage sales. Due to the late hours of operation, approval of an Operator's License by the Newport Beach Police Department will be required. The property is located in the PC-56 (North Newport Center) District.

Recommended
Action:

- 1) Conduct public hearing; and
- 2) Approve Minor Use Permit UP2012-029 (PA2012-163) subject to the recommended findings and conditions.

CEQA

Compliance:

The project applications are both categorically exempt under Section 15301, of the California Environmental Quality Act (CEQA) Guidelines - Class 1 (Existing Facilities).

Item No. 4.

Island Cinemas Monument Sign - Modification Permit No. MD2012-019 (PA2012-175)

101 Newport Center Drive

Council District 5

Summary:

A Modification Permit to allow the addition of a second monument sign in support of the existing movie theater located within Fashion Island. The proposed sign would be located along the perimeter of Fashion Island adjacent to Newport Center Drive, between San Miguel Drive and Anacapa Drive. The sign would be double-faced and would measure approximately 20 feet in height and 16 feet 2 inches in width. The property is located in the PC 56 (North Newport Center) District.

Recommended
Action:

- 1) Conduct public hearing; and
- 2) Approve Permit No. MD2012-019 (PA2012-175) subject to the recommended findings and conditions.

CEQA

Compliance:

The project is categorically exempt under Section 15311, of the California Environmental Quality Act (CEQA) Guidelines - Class 11 (Accessory Structures).

D) PUBLIC COMMENTS ON NON-AGENDA ITEMS

Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Zoning Administrator. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Zoning Administrator has the discretion to extend or shorten the speakers' time limit on non-agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.

E) ADJOURNMENT

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

Any writings or documents provided to the Zoning Administrator regarding any item on this agenda will be made available for public inspection in the office of the Planning Division located at 3300 Newport Boulevard, during normal business hours.

APPEAL PERIOD: An appeal may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered unless a different period of time is specified by the Municipal Code (e.g., Title 19 allows ten (10) day appeal period for tentative parcel and tract maps, lot line adjustments, or lot mergers). For additional information on filing an appeal, contact the Planning Division at 949 644-3200.